REMARKS/DISCUSSION OF ISSUES

By this Amendment, Applicants amend claim 8 to correct a minor typographical error in the equation, so that the equation will be correct as disclosed in the specification at page 4, line 11 and page 5, line 30. Correction of this minor error will put this application in better condition for Appeal should this request for reconsideration not be granted, so entry of the Amendment is respectfully requested.

Claims 1-15 are pending in the application.

Once again, the Examiner is respectfully requested to state whether the drawings are acceptable.

Reexamination and reconsideration are respectfully requested in view of the following Remarks.

35 U.S.C. § 102

The Office Action rejects claims 1-15 under 35 U.S.C. § 102(e) over Kasahara et al. U.S. Patent Publication 2002/0036650 ("Kasahara"), and claims 1 and 14 under 35 U.S.C. § 102(e) over Correa et al. U.S. Patent 6,674,429 ("Correa").

Applicants respectfully traverse those rejections for at least the following reasons.

Correa

The Office Action dated 20 March 2006 completely fails to respond to Applicants' argument in the Response filed on 4 January 2006 that "Correa" is not prior art for the present application. Accordingly, Applicants repeat that argument again below and respectfully request that the Examiner acknowledge the argument, and either rebut it, or withdraw all rejections based on Correa.

Correa was filed in the United States on 1 August 2001 based on an International (PCT) application filed on 20 January 2000. That is, Correa is "based on [an] international application that [was] filed prior to November 29, 2000" and therefore is "subject to the former (pre-AIPA) version of 35 U.S.C. 102(e) as set forth below.

Former 35 U.S.C. 102. Conditions for patentability; novelty and loss of right to patent.

A person shall be entitled to a patent unless -

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(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent."

M.P.E.P. § 2136 (M.P.E.P. 8th Edition, Rev. 3, Aug. 2005, page 2100-100).

So, the effective date of Correa as prior art under 35 U.S.C. 102(e) is the date that the requirements of paragraphs (1), (2), and (4) of section 371(c) were fulfilled. That date is **1 August 2001** (see the cover sheet of the Correa patent).

Meanwhile, the priority date of the present patent application is **20 December 2000**. The present application was originally filed in English, and the English priority document has been earlier submitted to the PTO as acknowledged by the Examiner in the Office Action dated 6 October 2003. So the priority has been perfected.

Therefore, Applicants respectfully submit that the Correa patent is not prior art under 35 U.S.C. § 102(e). Accordingly, Applicants respectfully request that all rejections based on the Correa patent be withdrawn.

Kasahara

Claim 1

Among other things, the display device of claim 1 includes determining means for comparing the display load (D) of the device with a threshold value (D0), and control means for dynamically varying a number of sub-fields available for display of an image

responsive to the display load (D) being below the threshold value (D0).

Applicants respectfully submit that Kasahara does not disclose such a combination of features.

In particular, Kasahara does not disclose any threshold value (D0) or a control means **responsive to any threshold comparison** being satisfied (D < D0) before it dynamically varies the number of sub-fields available for display. Instead, in direct contrast, Kasahara discloses a system and method which always dynamically varies the number of sub-fields available for display of an image. There is no threshold. In that regard, once again Applicants note that a threshold is a "minimum requirement for further action, specifically, a determination upon which something else hinges" (Merriam-Webster Dictionary of Law).

Reply to Response to Arguments

The Office Action now states, in the "Response to Arguments," that: "The threshold value corresponds top the measured Lav, the average brightness level."

Applicants strongly disagree. If anything, Lav corresponds to the "display load of the device" recited in claim 1. Indeed, if Lav does **not** correspond to the "display load of the device" recited in claim 1, then what does??? And where does Kasahara disclose comparing anything to Lav, and "dynamically varying a number of sub-fields available for display of an image responsive to said determined display load being below [Lav]???" It doesn't.

Instead, Kasahara clearly teaches with respect to the cited paragraph [114] and FIG. 10 that the number of sub-fields, Z, is chosen from a chart or table based **only** on the measured value Lav, and not any comparison to any threshold.

Accordingly, for at least these reasons, Applicants respectfully submit that claim 1 is patentable over Kasahara.

Claims 2-13 and 15

Claims 2-13 and 15 depend from claim 1 and are deemed patentable over Kasahara for at least the reasons set forth above with respect to claim 1, and for the following additional reasons.

Claim 2

Among other things, in the device of claim 2, both the subfield converter and the determining means receive an incoming video signal.

The Office Action identifies element 30 in FIG. 9 of Kasahara as supposedly corresponding to the recited determining means, and element 18 as supposedly corresponding to the recited subfield converter. Inspection of FIG. 9 clearly shows that **neither** element 30 nor element 18 receive the incoming video signal (2). Nothing in paragraph 104 of Kasahara - which is cited in the Office Action but which does not even mention element 30 or element 18 - suggests otherwise.

Reply to Response to Arguments

The Office Action now states, in the "Response to Arguments," that: "signal 2 ***flows*** through items 8, 10, 11, 12, 14, 16, 18, 20 and 24" (emphasis added).

At the outset, NONE of those "items" is element 30, which the Office Action states corresponds to the recited determining means and which claim 2 states receives the incoming video signal. So even if the statement in the "Response to Arguments" made sense (and it doesn't), it does not explain how or where Kasahara discloses that the determining means receives the incoming video signal, as recited in claim 2.

Furthermore, that statement does not make sense. Claim 2 recites that the both the subfield converter and the determining means are receive an ***incoming*** video signal. That is not a video signal that has already been sub-field processed by the output of the determining means – such as the signal received by subfield processor 18 which has already been multiplied by A (element 12), gradation adjusted by K (element 14), and divided into Z subfields (element 16) as a result of outputs of an Image Characteristic Determining Means 30, as disclosed by Kasahara.

For at least this additional reason, Applicants respectfully submit that claim 2 is patentable over Kasahara.

Claims 3 & 5

Among other things, the devices of claims 3 and 5 each include means for applying partial line doubling responsive to the display load being determined to be

below a threshold value.

Nothing in Kasahara even suggests such means for applying partial line doubling responsive to the display load being determined to be below a threshold value. In particular, very clearly no such means for applying partial line doubling is disclosed anywhere in paragraph 118 of Kasahara, cited in the Office Action.

Reply to Response to Arguments

The Office Action now states, in the "Response to Arguments," that: "Kasahara suggests partial line doubling or dithering."

At the outset, even if this statement was accurate, it could not support a rejection under 35 U.S.C. § 102, which requires that every single element of a claim be **disclosed** either explicitly or implicitly, and not merely "**suggested**" by a single reference.

Furthermore, Applicants respectfully submit that nothing in FIGs. 20 or 21 or paragraph [51] discloses partial line doubling.

For at least this additional reason, Applicants respectfully submit that claims 3 and 5 are each patentable over Kasahara.

Claims 4 & 6

Among other things, the devices of claims 4 and 6 each include means for dithering responsive to the display load being determined to be below a threshold value.

Nothing in Kasahara even suggests such means for dithering **responsive to the display load being determined to be below a threshold value**. In particular, very clearly no such means for dithering is disclosed anywhere in paragraphs [51], [118] or FIGs. 20 or 21 of Kasahara, cited in the Office Action.

For at least this additional reason, Applicants respectfully submit that claims 4 and 6 are each patentable over Kasahara.

Claim 14

Among other things, the method of claim 14 includes comparing the display load of the device with a threshold value, and dynamically varying the number of sub-fields

available for display of an image responsive to the display load being determined to be below the threshold value.

As explained above with respect to claim 1, Kasahara does not disclose any method including such a combination of features. In particular, Kasahara does not disclose the threshold value or dynamically varying the number of sub-fields **being responsive to** the display load being **less than the threshold value** (D < D0).

Accordingly, for at least these reasons, Applicants respectfully submit that claim 14 is patentable over Kasahara.

CONCLUSION

In view of the foregoing explanations, Applicants respectfully requests that the Examiner reconsider and reexamine the present application, allow claims 1-15 and pass the application to issue. In the event that there are any outstanding matters remaining in the present application, the Examiner is invited to contact Kenneth D. Springer (Reg. No. 39,843) at (571) 283.0720 to discuss these matters.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies to charge payment or credit any overpayment (except for the issue fee) to Deposit Account No. 50-0238 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17, particularly extension of time fees.

Respectfully submitted,

VOLENTINE FRANCOS & WHITT, P.L.L.C.

Date: 19 May 2006

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